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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,449	09/13/2003	Alben Joseph Gillum	38494-00252	7810
36754	7590	09/25/2006		
LEWIS AND ROCA LLP 40 N. CENTRAL AVENUE PHOENIX, AZ 85004				
			EXAMINER AGWUMEZIE, CHARLES C	
			ART UNIT 3621	PAPER NUMBER

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/661,449

Applicant(s)

GILLUM, ALBEN JOSEPH

Examiner

Charlie C. Agwumezie

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 11-14 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11-14 and 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>09/13/03; 03/08/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. Claims 8-10 and 15 have been cancelled. Claims 1-7, 11-14 and 16-21 are pending in this application per the response to office action filed on July 7, 2006.

Response to Arguments

3. Applicant's arguments with respect to claims 1-7, 11-14 and 16-21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-6, 18, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Justice et al U.S. Patent Application Publication No. 2003/0174823 A1.

As per **claim 1**, Justice et al discloses a method for detecting dollar threshold transactions comprising:

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obtaining identity information relating to an identity of a customer who purchases a financial transaction (see figs. 2, 4 and 9; 0004; 0057);

comparing said financial transaction with zero or more previous financial transactions that occurred on a same day as said transaction and that comprise said identity information (fig. 7; 0095; 0097; 0098);

determining whether a total dollar value of said transaction and said previous financial transactions equals or exceeds a threshold amount (see figs. 7; 0095; 0096; 0097; 0119);

capturing additional information and storing said additional information if a result of said determining step was affirmative (see fig. 9; 0116); and

generating a report that comprises said identification information, and said additional information (0121; 0122).

As per **claim 2**, Justice et al discloses the method wherein said previous financial transactions are stored in a database (0009; 0028; 0032; 0035).

As per **claim 3**, Justice et al discloses the method wherein said threshold amount is \$3,000 (0119).

As per **claim 5**, Justice et al discloses a method for detecting reportable dollar threshold transactions comprising:

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storing daily transactions for financial transactions in a database (0009; 0028; 0032; 0035);

aggregating records by customer identifying information (see fig. 9; 0016);

summing said records from said aggregating step to produce a total dollar value (0032);

comparing said total dollar value with a threshold (see figs. 7; 0095; 0096; 0097; 0119); and

if said total dollar value is greater than or equal to said threshold, generating a second record of all said records from said summing step (see figs. 4 and 7; 0095; 0096; 0097; 0119); and

storing said second record for reporting; and reporting said second record to a controlling entity (0121; 0122).

As per **claim 6**, Justice et al further discloses the method wherein said threshold is \$10,000 (0119).

As per **claim 18**, Justice et al discloses a method for detecting suspicious transactions comprising:

analyzing sales data to detect whether financial transactions have been purchased in a manner indicating a plurality of consecutive high-value purchases that exceed a threshold value (see fig. 7; 0007; 0077; 0095; 0096).

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As per claim 20, Justice et al discloses a method of detecting suspicious financial transactions comprising:

comparing a transaction to a plurality of transactions stored in a database (0009; 0028; 0032; 0035; 0096; 0097);

determining whether said transaction matches said plurality of transactions based on a match of a sender's name and zip code (fig. 9);

summing a total dollar amount of said plurality of transactions matched in said determining step (0096; 0097);

advising a sales associate and disabling said transaction if a result of said summing step exceeds a dollar threshold (fig. 4; 0119).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Justice et al U.S. Patent Application Publication No. 2003/0174823 A1 in view of Godwin et al U.S. Patent Application Publication No. 2002/0023057 A1.

As per **claim 4**, Justice et al failed to explicitly disclose the method wherein said report comprises a USPS Form 8105-A.

Godwin et al discloses the method wherein said report comprises a USPS Form 8105-A (0207).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Justice et al and incorporate the method, wherein said report comprises a USPS Form as taught by Lawrence in order to standardize the form used.

Claim 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Justice et al U.S. Patent Application Publication No. 2003/0174823 A1 in view of Lawrence U.S. Patent Application Publication No. 2002/0138417 A1.

As per **claim 7**, Justice et al failed to explicitly disclose the method wherein the controlling entity is the United States Department of the Treasury.

Lawrence discloses the method wherein the controlling entity is the United States Department of the Treasury (0004).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Justice et al and incorporate the method, wherein the controlling entity is the United States Department of the Treasury as taught by Lawrence in order to show controlling entity.

5. **Claims 11-14, and 16-17,** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence U.S. Patent Application Publication 2003/0177087 A1 in view of Buchanan et al U.S. Patent Application Publication 2004/0133516 A1.

As per **claim 11**, Lawrence discloses a method for detecting suspicious transactions comprising:

examining digitized images of transactions in a plurality of workstations (fig. 1; claim 12 and 25); and

determining whether a condition is satisfied that indicates money laundering activities occurred (see figs. 1 and 2; 0009; 0028).

What Lawrence does not explicitly disclose is digitized images.

Buchanan discloses examining digitized images of transactions in a plurality of workstations (see figs. 1 and 4; 0097; 0118; 0158; 0168; 0240; "...authorized operators can review the check item images...")

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Lawrence and incorporate the method, examining digitized images of transactions in a plurality of workstations as taught by Buchanan et al because such capture and review will enable fraudulent checks or money order to be identified earlier in the processing thereby saving the entity money.

As per **claim 12**, Lawrence further discloses the method further comprising: completing a form indicating suspicious circumstances if a customer purchased a plurality of previous financial transactions with a regular frequency (0009; 0050; 0052).

As per **claim 13**, Lawrence further discloses the method further comprising: completing a form indicating suspicious circumstances if a customer worked with a second customer to purchase a dollar amount of a plurality of previous financial transactions in a manner intended to result in a total dollar value less than a threshold amount (figs. 2 and 7; 0009).

As per **claim 14**, Lawrence further discloses the method wherein said condition comprises: determining whether a plurality of images indicate multiple financial transactions originated from different post offices in a geographic area (0067).

As per **claim 16**, Lawrence failed to explicitly disclose the method wherein said condition comprises: determining whether a plurality of images bear no payees.

Buchanan et al discloses the method wherein said condition comprises: determining whether a plurality of images bear no payees (0171; 0172; 0175; 0216; 0235; 0258).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Lawrence and incorporate the

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method, wherein said condition comprises: determining whether a plurality of images bear no payees as taught by Buchanan et al in order to show pattern of fraud and ensure further security measures.

As per **claim 17**, Lawrence failed to explicitly disclose the method wherein said condition comprises: determining whether a plurality of images bear no payees:

Buchanan et al discloses the method wherein said condition comprises: determining whether a plurality of images bear no payees (0171; 0172; 0175; 0235; 0258).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Lawrence and incorporate the method, wherein said condition comprises: determining whether a plurality of images bear no payees as taught by Buchanan et al in order to show pattern of fraud ensure further security measures that may be employed.

6. **Claims 19 and 21**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Justice et al U.S. Patent Application Publication No. 2003/0174823 A1 in view of Klebanoff U.S. Patent Application Publication 2004/0039686 A1.

As per **claims 19 and 21**, Justice et al failed to explicitly disclose the method wherein said threshold value is \$2000.

Klebanoff discloses the method wherein said threshold value is \$2000.

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Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Justice et al and incorporate the method, wherein said threshold value is \$2000 as taught by Klebanoff in order to show the threshold value which when exceeded raises the flag for fraud.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of

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the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Agwumezie whose number is **(571) 272-6838**. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on **(571) 272 – 6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(571) 273-8300. [Official communications; including After Final communications labeled "Box AF"].

(571) 273-8300. [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"].

Hand delivered responses should be brought to the United States Patent and Trademark Office Customer Service Window:

Art Unit: 3621

Randolph Building,

401 Dulany Street

Alexandria VA. 22314

Charlie Lion Agwumezie

Patent Examiner

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September 6, 2006

A handwritten signature in cursive script, appearing to read "A. Fischer", followed by the date "9/12/06".

ANDREW J. FISCHER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600